

AMENDED

Serial No. **45085**

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER  
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE  
STATE OF NEVADA HERETOFORE APPROPRIATED

Date of filing in State Engineer's Office NOV 25 1981

Returned to applicant for correction MAR 8 1982

Corrected application filed MAR 15 1982 Map filed APR 13 1982

The applicant James Franklin

P.O. Box 203 of Alamo

Nevada 89001 Street and No. or P.O. Box No. City or Town

State and Zip Code No. hereby make S application for permission to change the

a portion of the point of diversion and the place of use

Point of diversion, manner of use, and/or place of use

of water heretofore appropriated under Well Permit No. 31281

(Identify existing right by Permit, Certificate, Proof or Claim Nos. If Decreed, give title of Decree and

identify right in Decree.)

1. The source of water is Underground  
Name of stream, lake, underground spring or other source.

2. The amount of water to be changed 2.365 cfs  
Second feet, acre feet, One second foot equals 448.83 gallons per minute.

3. The water to be used for Irrigation  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

4. The water heretofore permitted for Irrigation  
Irrigation, power, mining, industrial, etc. If for stock state number and kind of animals.

5. The water is to be diverted at the following point The SW $\frac{1}{4}$ , NE $\frac{1}{4}$ , Sec. 2, T.4S., R.55E., M.D.B.&M.,  
Describe as being within a 40-acre subdivision of public survey and by course and  
and the NE Corner of Sec. 35, T.3S., R.55E., bears N. 11 $^{\circ}$  55' 26" E. a distance  
distance to a section corner. If on unsurveyed land, it should be stated.  
of 6890.26 feet.

6. The existing permitted point of diversion is located within the SE $\frac{1}{4}$ , SE $\frac{1}{4}$  of Sec. 35, T.3S., R.55E.,  
If point of diversion is not changed, do not answer.  
as shown on Well Permit No. 31281, at a point from which the S.E. Corner of said  
Section 35 bears S. 45 $^{\circ}$  00' E., a distance of 50.00 feet. (Note the original  
bearing appearing in Permit No. 31281 is incorrect.)

7. Proposed place of use Government Lots 1, 2 & 3, and the SW $\frac{1}{4}$ , NE $\frac{1}{4}$  of Sec. 2, T.4S.,  
Describe by legal subdivisions. If for irrigation state number of acres to be irrigated.  
R.55E. A total of 280 acres will be irrigated. SE $\frac{1}{4}$  SW $\frac{1}{4}$ , S $\frac{1}{2}$  SE $\frac{1}{4}$ , Section 35,  
T.3S., R.55E. MDB&M

8. Existing place of use The S $\frac{1}{2}$  of the SE $\frac{1}{4}$  N $\frac{1}{2}$  SE $\frac{1}{4}$  and S $\frac{1}{2}$  NE $\frac{1}{4}$  and SE $\frac{1}{4}$  SW $\frac{1}{4}$  of Sec. 35, T.3S.,  
Describe by legal subdivisions. If permit is for irrigation, state number of acres irrigated. If changing place of use and/or  
R.55E., -280 acres under irrigation. The acreage being removed from acreage is the  
manner of use of irrigation permit, describe acreage to be removed from irrigation.  
N $\frac{1}{2}$  of the SE $\frac{1}{4}$  and the S $\frac{1}{2}$  NE $\frac{1}{4}$ , all in T.3S., R.55E., Sec. 35. Acreage to be stripped  
is 160 acres.

9. Use will be from January 1 to December 31 of each year.  
Month and Day Month and Day

10. Use was permitted from January 1 to December 31 of each year.  
Month and Day Month and Day

11. Description of proposed works. (Under the provisions of NRS 535.010 you may be required to submit plans and  
specifications of your diversion or storage works.) Existing well is 16" diameter, 350 feet deep.  
State manner in which water is to be diverted, i.e. diversion structure, ditches,  
A deep well turbine pump will be placed along with a piping system for irrigation  
pipes and flumes, or drilled well, etc. purposes.

12. Estimated cost of works \$25,000

13. Estimated time required to construct works Three (3) months

14. Estimated time required to complete the application of water to beneficial use. Two (2) years
15. Remarks: For use other than irrigation or stock watering, state number and type of units to be served or annual consumptive use.

This application is made to transfer a portion of the water rights issued  
to James Franklin under Permit No. 31281.

KARSTEN T. BRONKEN, P.E. Consulting Engineer  
s/Karsten T. Bronken  
By 1818 Industrial Road, Las Vegas, Nevada 89102

Compared bc/js bt/ja

Protested \_\_\_\_\_

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the Point of Diversion and Place of Use of a Portion of the waters of an underground source as heretofore granted under Permit 31281 is issued subject to the terms and conditions imposed in said Permit 31281 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a measuring device must be installed in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

The total combined duty of water under this permit and Permit 31281 shall not exceed 1,400 acre-feet per year.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use, and not to exceed 2.365 cubic feet per second, but not to exceed a yearly duty of 5.0 acre-feet per acre of land irrigated from any and/or all sources.

Work must be prosecuted with reasonable diligence and be completed on or before August 2, 1983

Proof of completion of work shall be filed before September 2, 1983

Application of water to beneficial use shall be made on or before August 2, 1984

Proof of the application of water to beneficial use shall be filed on or before September 2, 1984

Map in support of proof of beneficial use shall be filed on or before September 2, 1984

Completion of work filed AUG 1 1984 IN TESTIMONY WHEREOF, I, PETER G. MORROS,

Proof of beneficial use filed JUN 30 1989 State Engineer of Nevada, have hereunto set my hand and the seal of

Cultural map filed JUN 30 1989 my office, this 2nd day of AUGUST,

Certificate No. 12236 Issued SEP 11 1989 A.D. 19 82

Peter G. Morros  
State Engineer

2407 (Rev. 6-81)  
cert. 58422 0.16, 58424 1.205 cert.  
PORT. 49217 1.0 c.f.s.

57846T 1.205 exp  
57845T 0.16 9-8-93  
Authorized By